

I have examined this application

as required by RCW 90.03.010 and it is: ☐ not an "action".

☒ categorically exempt.

☐ SURFACE WATER

☐ GROUND WATER

12/4/92  
DATE

SIGNATURE

\$10.00 MINIMUM STATUTORY EXAMINATION FEE REQUIRED WITH APPLICATION

(GRAY BOXES FOR OFFICE USE ONLY)

RECEIVED

NOV 23 1992

DEPARTMENT OF ECOLOGY

APPLICATION NO. <u>6126807</u>	W.R.I.A. <u>1</u>	COUNTY <u>Whatcom</u>	PRIORITY DATE <u>11-23-92</u>	TIME	ACCEPTED <u>JS</u>
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APPLICANT'S NAME - PLEASE PRINT

Bus. Tel. \_\_\_\_\_

Home Tel. \_\_\_\_\_

Other Tel. \_\_\_\_\_

ADDRESS (STREET) (CITY) (STATE) (ZIP CODE)

816 Loomis Trail Rd Lynon WASH. 98264

DATE & PLACE OF INCORPORATION IF APPLICANT IS A CORPORATION

## 1. SOURCE OF SUPPLY

### IF SURFACE WATER

SOURCE (NAME OF STREAM, LAKE, SPRING, ETC.) (IF UNNAMED, SO STATE)

TRIBUTARY

### IF GROUND WATER

SOURCE (WELL, TUNNEL, INFILTRATION TRENCH, ETC.)

SIZE AND DEPTH

## 2. USE

USE TO WHICH WATER IS TO BE APPLIED (DOMESTIC SUPPLY, IRRIGATION, MINING, MANUFACTURING, ETC.)

ENTER QUANTITY OF WATER REQUESTED USING UNITS OF: CUBIC FEET PER SECOND (CFS) OR GALLONS PER MINUTE (GPM) ACRE FEET PER YEAR

TIMES DURING YEAR WATER WILL BE REQUIRED

IF IRRIGATION, NUMBER OF ACRES

DATE PROJECT WAS OR WILL BE STARTED

IF DOMESTIC USE, NUMBER OF UNITS BY TYPE, E.G. 1-HOME, 1-MOBILE HOME, 2-CAMPSITES, ETC.

DATE PROJECT WAS OR WILL BE COMPLETED

IF MUNICIPAL USE, ESTIMATED POPULATION 20 YEARS FROM TODAY

## 3. LOCATION OF POINT OF DIVERSION/WITHDRAWAL

### 3A. IF IN PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)	SECTION	TOWN	RANGE	ALSO, PLEASE ENCLOSE A COPY OF THE PLAT AND MARK THE POINT(S) OF WITHDRAWAL OR DIVERSION
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### 3B. IF NOT IN PLATTED PROPERTY

ON ACCOMPANYING SECTION MAPS, ACCURATELY MARK AND IDENTIFY EACH POINT OF DIVERSION, SHOW NORTH-SOUTH AND EAST-WEST DISTANCES FROM NEAREST SECTION CORNER OR PROPERTY CORNER

ALSO, ENTER BELOW THE DISTANCES FROM THE NEAREST SECTION OR PROPERTY CORNER TO THE DIVERSION OR WITHDRAWAL.

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	COUNTY
<u>North 60 Acres of S2 of NW1/4 of</u>	<u>14</u>	<u>40</u>	<u>2 E W.M.</u>	<u>Whatcom</u>

4. DO YOU OWN THE LAND ON WHICH THIS SOURCE IS LOCATED. IF NOT, INSERT NAME & ADDRESS OF OWNER

## 5. LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

ATTACH A COPY OF THE LEGAL DESCRIPTION OF THE PROPERTY (ON WHICH THE WATER WILL BE USED) TAKEN FROM A REAL ESTATE CONTRACT, PROPERTY DEED OR TITLE INSURANCE POLICY. OR, COPY CAREFULLY IN THE SPACE BELOW.

LEGAL DESCRIPTIONS ON WHICH THE WATER TO BE USED  
ARE INCLUDED WITH MAPS HIGHLIGHTED IN YELLOW



WHAT IS YOUR INTEREST IN THE PROPERTY ON WHICH THE WATER IS TO BE USED (PROPERTY OWNER, LESSEE, CONTRACT PURCHASER, ETC.)

OWN AND LEASE PART OF Property

ARE THERE ANY EXISTING WATER RIGHTS RELATED TO THE LAND ON WHICH THE WATER IS TO BE USED (INCLUDING WATER PROVIDED BY IRRIGATION DISTRICTS OR DITCH COMPANIES.)

☒ YES

☐ NO

IF YES, FROM WHAT SOURCE (i.e. SURFACE OR GROUND WATER) AND UNDER WHAT AUTHORITY

GROUND WATER

6. DESCRIPTION OF SYSTEM PROPOSED OR INSTALLED

(FOR EXAMPLE: SIZE OF PUMP, CAPACITY OF PUMP, PUMP MOTOR HORSE POWER, PIPE DIAMETER, NUMBER OF SPRINKLERS, ETC.)

BIG GUN TRAVELER AND ON Drip System

40 H.P. Pump

8 INCH PIPE

REMARKS

7. POND USED IN CONJUNCTION WITH WELLS TO ADEQUATELY IRRIGATE ALL OF OUR ACREAGE

8. COMPLETE THIS SECTION ONLY IF THIS APPLICATION INCLUDES IRRIGATION AS A USE

IN ORDER TO IMPLEMENT THE PROVISIONS OF INITIATIVE MEASURE NUMBER 59, THE FAMILY FARM WATER ACT WHICH WAS PASSED BY THE VOTERS ON NOVEMBER 3, 1977, WE MUST ASK THE FOLLOWING QUESTIONS:

DOES THE TOTAL NUMBER OF ACRES IN WHICH YOU HAVE CONTROLLING INTEREST IN THE STATE OF WASHINGTON EXCEED 2000 ACRES FOR THE FOLLOWING THREE CATEGORIES:

1. LANDS THAT ARE BEING IRRIGATED UNDER WATER RIGHTS ACQUIRED AFTER DECEMBER 8, 1977.

YES ☐

NO ☒

2. LANDS THAT MAY BE IRRIGATED UNDER APPLICATIONS NOW ON FILE WITH THE DEPARTMENT OF ECOLOGY.

YES ☐

NO ☒

3. LANDS THAT MAY BE IRRIGATED UNDER THIS APPLICATION.

YES ☐

NO ☒

IF 10 ACRE-FEET OR MORE OF WATER IS TO BE STORED AND/OR IF THE WATER DEPTH WILL BE 10 FEET OR MORE AT THE DEEPEST POINT, A STORAGE PERMIT MUST BE FILED IN ADDITION TO THIS PERMIT. THESE FORMS CAN BE SECURED, TOGETHER WITH INSTRUCTIONS, FROM THE DEPARTMENT OF ECOLOGY.

SIGNATURES

Marty Mabery  
APPLICANT'S SIGNATURE

Mike Mabery  
LEGAL LANDOWNERS NAME  
(PLEASE PRINT)

LEGAL LANDOWNER'S SIGNATURE (OWNER OF PROPERTY DESCRIBED IN ITEM NUMBER 5)

8742 WEIDKAMP ROAD Lynden  
LEGAL LANDOWNER'S ADDRESS

FOR OFFICE USE ONLY

STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

SS.

This is to certify that I have examined this application together with the accompanying maps and data, and am returning it for correction or completion as follows: .....

In order to retain its priority date, this application must be returned to the Department of Ecology, with corrections, on or before ....., 19.....

Witness my hand this ..... day of ....., 19.....



# SECTION MAP

Sec. .... Twp. .... N. R. ....

N

W

E

S

Scale: 1 inch = 800 feet (each small square = 10 acres)

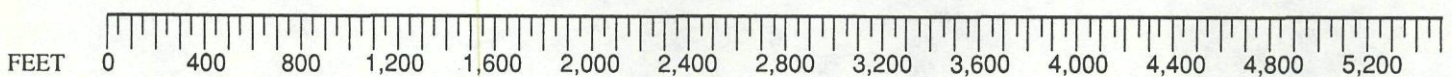
Show by a cross (X) the location of point of diversion (surface water source) or point of withdrawal (ground water source). For ground water applications, show by a circle (O) the locations of other wells or works within a quarter of a mile.

Indicate traveling directions from nearest town in space below.

MAPS AND LEGALS INCLUDED ON PAGES 1, 2, 3  
 - MAP OF SECTION 14 EXISTING WATER RIGHTS AND  
 ADJOINING WATER RIGHTS INCLUDED ON PAGE 4

Detach here

Fold along scale



Detach this scale at the perforation, fold excess paper under or cut off excess by cutting along the scale line. This scale corresponds to the SECTION MAP above. You can read feet directly from this scale to outline property and locate points of diversion or withdrawal on the SECTION MAP. Enclose this map along with the application and \$10.00 examination fee.



JUN 29 1991

USDA-FmHA

Form FmHA 427-1 WA

(Rev. 5-29-75)

## REAL ESTATE MORTGAGE FOR WASHINGTON

1255572

13496

THIS MORTGAGE is made and entered into by MICHAEL L. MABERRY, a single man,

residing in Whatcom County, Washington, whose post office address is  
816 Loomis Trail Road, Lynden, Washington 98264,

herein called "Borrower," and:

WHEREAS Borrower is indebted to the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, herein called the "Government," as evidenced by one or more promissory note(s) or assumption agreement(s), herein called "note," which has been executed by Borrower, is payable to the order of the Government, authorizes acceleration of the entire indebtedness at the option of the Government upon any default by Borrower, and is described as follows:

<u>Date of Instrument</u>	<u>Principal Amount</u>	<u>Annual Rate of Interest</u>	<u>Due Date of Final Installment</u>
6-22-1977	\$100,000.00	5%	6-22-2017

And the note evidences a loan to Borrower, and the Government, at any time, may assign the note and insure the payment thereof pursuant to the Consolidated Farm and Rural Development Act, or Title V of the Housing Act of 1949:

And it is the purpose and intent of this instrument that, among other things, at all times when the note is held by the Government, or in the event the Government should assign this instrument without insurance of the note, this instrument shall secure payment of the note; but when the note is held by an insured holder, this instrument shall not secure payment of the note or attach to the debt evidenced thereby, but as to the note and such debt shall constitute an indemnity mortgage to secure the Government against loss under its insurance contract by reason of any default by Borrower:

NOW, THEREFORE, in consideration of the loan(s) and (a) at all times when the note is held by the Government or in the event the Government should assign this instrument without insurance of the payment of the note, to secure prompt payment of the note and any renewals and extensions thereof and any agreements contained therein, including any provision for the payment of an insurance or other charge, (b) at all times when the note is held by an insured holder, to secure performance of Borrower's agreement herein to indemnify and save harmless the Government against loss under its insurance contract by reason of any default by Borrower, and (c) in any event and at all times to secure the prompt payment of all advances and expenditures made by the Government, with interest, as hereinafter described, and the performance of every covenant and agreement of Borrower contained herein or in any supplementary agreement, Borrower does hereby grant, bargain, sell, convey, mortgage, and assign with general warranty unto the Government the following property situated in the State of

Washington, County(ies) of Whatcom

The North 60 acres of the South half of the Northwest quarter of Section 14, Township 40 North, Range 2 East of W.M., EXCEPT THEREFROM the Weidkamp Road, situate in Whatcom County, Washington.

Being designated as Tax Lot No. 2.1

Post-It brand fax transmittal memo 7671 # of pages 1

To <u>Maberry Packing</u>	From <u>FmHA</u>
Co. <u>Brenda</u>	Co. <u>Brenda</u>
Dept. <u></u>	Phone # <u>354-5658</u>
Fax # <u>354-8182</u>	Fax # <u>354-0318</u>

FmHA 427-1 WA (Rev. 5-29-75)

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Pg 1

PARCEL A

A tract of land in Section 14, Township 40 North, Range 2 East of the Willamette Meridian, described as follows: the  $S\frac{1}{2}NW\frac{1}{4}$  together with the  $N\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$ , EXCEPT the following described parcels:

1. The North 60 acres of the  $S\frac{1}{2}NW\frac{1}{4}$ .
2. Portions along the South line of the  $NW\frac{1}{4}$  previously deeded to Dickson, Sheets and Westbrook, defined as follows: That portion being South of a line beginning at the West quarter corner and extending to a point on the East line of said Section 2483.85 feet South of the Northeast corner of said Section and 2.64 feet East of the stone set by John Botta for the East quarter corner of said Section 14, and East of the West line of the  $E\frac{1}{2}SW\frac{1}{4}$  of said Section.
3. Beginning at a point on the West line of Section 14, Township 40 North, Range 2 East, where said West line intersects the South line of the North 60 acres of the  $S\frac{1}{2}NW\frac{1}{4}$ , thence East along said South line of said North 60 acres 400 feet to a point; thence South parallel to said West section line 1040 feet, more or less, to the North line of the  $S\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$  of said Section 14; thence West to the West line of said Section 14; thence North to the point of beginning.

PARCEL B

The  $SW\frac{1}{4}SW\frac{1}{4}$  and the  $S\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$  of Section 14, Township 40 North, Range 2 East of the Willamette Meridian, EXCEPT County Roads No. 197 and 144. ✓

9/18/80  
MB

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